

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF CHULA VISTA

February 5, 2002

4:00 P.M.

A Regular Meeting of the City Council of the City of Chula Vista was called to order at 4:15 p.m. in the Council Chambers, located in the Public Services Building, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

PRESENT: Councilmembers: Davis, Rindone, Padilla, Salas, and Mayor Horton

ABSENT: Councilmembers: None

ALSO PRESENT: City Manager Rowlands, City Attorney Kaheny, and City Clerk Bigelow

PLEDGE OF ALLEGIANCE TO THE FLAG, MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- INTRODUCTION BY DEPUTY CITY MANAGER PALMER OF THE EMPLOYEE OF THE MONTH, KEITH QUIGLEY, EXTENDED SCHOOL DAY SUPERVISOR, LIBRARY DEPARTMENT

Deputy City Manager Palmer introduced the employee of the month, Keith Quigley, and Mayor Horton presented him with a proclamation.

- INTRODUCTION BY MAYOR HORTON OF YANG JINGYUN, EDUCATIONAL AND TOUR COORDINATOR FOR HILLTOP HIGH SCHOOL, AND A PRESENTATION OF A PROCLAMATION TO MR. JINGYUN BY COUNCILMEMBER RINDONE

Mayor Horton read the proclamation, and Councilmember Rindone presented it to Yang Jingyun, Educational and Tour Coordinator for Hilltop High School.

- VIDEO PRESENTATION BY ERIC JONUCZ, HILLTOP HIGH SCHOOL STUDENT, OF THE JANUARY 14, 2002 BREAKFAST OF CHAMPIONS AND OLYMPIC TORCH RELAY, AND A PRESENTATION OF A CERTIFICATE OF RECOGNITION TO MR. JONUCZ BY MAYOR HORTON

Hilltop High School student Eric Jonucz presented a self-produced videotape featuring the January 14, 2002 Breakfast of Champions at the ARCO Olympic Training Center and the Olympic torch relay. Councilmember Rindone presented him with a certificate of recognition.

CONSENT CALENDAR
(Items 1 through 6)

Councilmember Rindone asked that Item #6 be removed from the Consent Calendar for discussion.

1. ORDINANCE NO. 2851, ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SECTIONAL PLANNING AREA (SPA) PLANNED COMMUNITY DISTRICT REGULATIONS FOR OTAY RANCH, VILLAGE SIX

McMillin Otay Ranch, LLC, submitted an application for a Sectional Planning Area (SPA) Plan and associated regulatory documents for Village Six in Otay Ranch. Village Six is located in the north-central portion of the Otay Valley parcel, south of Olympic Parkway, east of La Media Road, north of Birch Road and west of future SR-125. The SPA Plan proposes 2,232 dwelling units on 386.4 acres of land in Village Six. The ownership of Village Six is split between three property owners: McMillin Otay Ranch, LLC, the Otay Ranch Company and the Catholic Diocese of San Diego. McMillin is proposing 482 single-family dwellings and 212 multi-family units on their portion of Village Six, while Otay Ranch Company is proposing 401 single-family dwellings and 1,392 multi-family units. The Catholic Diocese is proposing a church on an 11.5-acre site and a 32.5-acre private high school. (Director of Planning and Building)

Staff recommendation: Council place the ordinance on second reading for adoption.

- 2 A. RESOLUTION NO. 2002-023, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING FINAL MAP OF CHULA VISTA TRACT NO. 01-10, COUNTRY CLUB VILLAS, ACCEPTING ON BEHALF OF THE CITY OF CHULA VISTA THE GENERAL ACCESS EASEMENT, WITH THE RIGHT OF INGRESS AND EGRESS, FOR THE CONSTRUCTION AND MAINTENANCE OF SEWER, DRAINAGE AND 15-FOOT DRAINAGE EASEMENTS, ALL AS GRANTED ON SAID MAP WITHIN SAID SUBDIVISION, APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT FOR THE COMPLETION OF IMPROVEMENTS REQUIRED BY SAID SUBDIVISION, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT
- B. RESOLUTION NO. 2002-024, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SUPPLEMENTAL SUBDIVISION IMPROVEMENT AGREEMENT FOR CHULA VISTA TRACT NO. 01-10, COUNTRY CLUB VILLAS SUBDIVISION, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

On October 9, 2001, by Resolution No. 2001-347, the City Council approved the Tentative Subdivision Map for Chula Vista Tract 01-10, Country Club Villas. Adoption of the resolutions approves the final map, subdivision improvement agreement, and supplemental subdivision improvement agreement. (Director of Public Works)

Staff recommendation: Council adopt the resolutions.

CONSENT CALENDAR (Continued)

- 3 A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FINAL MAP FOR SAN MIGUEL RANCH, PLANNING AREA “H”, CHULA VISTA TRACT NO. 99-04, ACCEPTING ON BEHALF OF THE CITY THE VARIOUS EASEMENTS, ALL AS GRANTED ON SAID MAP, WITHIN SAID SUBDIVISION, APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT FOR THE COMPLETION OF IMPROVEMENTS REQUIRED BY SAID SUBDIVISION, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE FINAL SUPPLEMENTAL SUBDIVISION IMPROVEMENT AGREEMENT FOR SAN MIGUEL RANCH, PLANNING AREA “H”, CHULA VISTA TRACT NO. 99-04, REQUIRING DEVELOPER TO COMPLY WITH CERTAIN UNFULFILLED CONDITIONS OF RESOLUTION NO. 2000-068, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE GRANT OF EASEMENTS AND MAINTENANCE AGREEMENT FOR SAN MIGUEL RANCH, NEIGHBORHOOD “H”, ESTABLISHING SPECIFIC OBLIGATIONS AND RESPONSIBILITIES FOR MAINTENANCE OF PRIVATE LANDSCAPING WITHIN PUBLIC RIGHT-OF-WAY, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

Adoption of the resolutions approves 131 single-family detached residential lots for Shea Homes’ Neighborhood “H” within Phase 1 of San Miguel Ranch. The tentative subdivision map for Chula Vista tract 99-04, San Miguel Ranch, was approved on February 29, 2000. Council approved “A” Map No. 1 for San Miguel Ranch, Phases 1, 2 and 4, on August 7, 2001. (Director of Public Works)

Staff recommendation: Council continue the item to a future date.

- 4 A. RESOLUTION NO. 2002-025, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA RATIFYING CITY STAFF’S ACTION ON APPROVING CHANGE ORDERS ASSOCIATED WITH THE CONSTRUCTION OF THE PUBLIC WORKS OPERATIONS FACILITY AND CORPORATION YARD, AND AUTHORIZING STAFF TO PROCESS UP TO AN ADDITIONAL \$250,000 IN CHANGE ORDERS
- B. RESOLUTION NO. 2002-026, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING CHANGE ORDERS FOR F.J. WILLERT FOR \$57,678 AND \$213,570, BOTH ASSOCIATED WITH THE CONSTRUCTION OF THE PUBLIC WORKS OPERATIONS FACILITY AND CORPORATION YARD, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE SAID CHANGE ORDERS

CONSENT CALENDAR (Continued)

The City Council has approved multiple contracts on the construction of the Corporation Yard project. On September 26, 2000, Council amended Policy No. 574-01, authorizing the City Manager to approve all change orders pertaining to this job with a single change order value, not exceeding \$50,000, and a cumulative value of up to \$250,000. Adoption of the resolutions ratifies staff's actions in approving change orders valued at \$428,760, and approves two additional change orders. Staff will also be authorized to process up to an additional \$250,000 in change orders in accordance with the policy. (Director of Building and Construction)

Staff recommendation: Council adopt the resolutions.

5. RESOLUTION NO. 2002-027, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AWARDING AN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$90,000 TO SOLANA RECYCLERS, INC., FOR HOUSEHOLD HAZARDOUS WASTE PUBLIC INFORMATION SERVICES IN ACCORDANCE WITH TERMS AND CONDITIONS OF THE COUNTY OF SAN DIEGO REQUEST FOR PROPOSAL (NO. 20075), AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS IN CONJUNCTION WITH IMPLEMENTING THE AGREEMENT

The City has applied for and been awarded a regional grant for the household hazardous waste program in the amount of \$300,000. The grant is designed to serve residents of Chula Vista, Imperial Beach and National City through March 2003. Staff coordinated the grant application with the County and North County cities that also received \$300,000 in grant awards. It was the intent of all three sub-regional applicants to pool funds committed to public education to develop one consistent message to better serve all County residents. Adoption of the resolution awards and executes an agreement for public education services that will be funded by the grant. (Special Operations Manager)

Staff recommendation: Council adopt the resolution.

ACTION: Councilmember Rindone moved to approve staff recommendations and offered Consent Calendar Items #1 through #5, headings read, texts waived. The motion carried 5-0.

6. RESOLUTION NO. 2002-028, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE CONSULTANT SELECTION PROCESS, AWARDING A CONTRACT TO CARRIER JOHNSON FOR THE PREPARATION OF CONCEPTUAL DESIGN PLAN AND OTHER NECESSARY PLANS AND DOCUMENTS REQUIRED FOR THE CITY'S SUBMITTAL OF A GRANT APPLICATION UNDER PROPOSITION 14 - CALIFORNIA READING AND LITERACY IMPROVEMENT POLICY AND PUBLIC LIBRARY CONSTRUCTION AND RENOVATION BOND ACT OF 2000, FOR THE RANCHO DEL REY LIBRARY, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

CONSENT CALENDAR (Continued)

At its August 28, 2001 meeting, the City Council accepted a report on the Rancho del Rey library and directed staff to prepare a "California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act" (Bond Act) grant application for the construction of the library. Carrier Johnson was chosen by a selection committee as the proposed architect for the design of a concept plan and preparation of needed documents for the Bond Act grant application. (Deputy City Manager Palmer)

Councilmember Rindone asked why Carrier Johnson, whose price was significantly greater than the second-rated firm, was selected. Deputy City Manager Palmer responded that the company has had extensive experience in designing public libraries, with over 1.5 million square feet of library design to their credit, including the San Jose State and City of San Jose main libraries. Their expertise will make the City's job easier, since there are only three months in which to produce a conceptual plan for the grant application. The company also demonstrated a well-thought-out approach towards the site. Councilmember Rindone asked if there were any written assurances by the firm that it could meet the City's schedule. Administrative Services Manager Stokes replied that the schedule is specified in the contract. Assistant City Attorney Hull added that the contract contains a series of deliverables that the company is required to produce, and compensation is contingent upon receiving those deliverables.

ACTION: Councilmember Rindone then offered Resolution No. 2002-028, heading read, text waived. The motion carried 5-0.

ORAL COMMUNICATIONS

Peter Miguel Camejo, Green Party candidate for Governor, asked the Council (1) to support the California Heritage Tree Preservation Act; (2) regarding solar energy, to encourage residents to install solar panels in their homes and support measures to allow excess electricity generated to be sold back to the utilities at fair market value; (3) to encourage developers to install solar when building new homes; (4) to support a minimum wage that allows a worker with a family to meet basic needs; and (5) to support runoff elections at the state level so that no third party can act as a spoiler.

Lupita Jiminez, 1134 Arbusto Corte, informed Council that she is going to place photovoltaic cells on the roof of her home, and she thanked Council for reducing the fees. She also asked Council to develop legislation to mandate the inclusion of solar panels on all new home construction and to allow residents to sell back electricity to the utilities during vacation time.

ACTION ITEMS

7. CONSIDERATION OF ADOPTION OF A RESOLUTION APPROVING LOT LINE ADJUSTMENTS BETWEEN CITY-OWNED OPEN SPACE PROPERTY AND 12 RESIDENTIAL PROPERTIES

On November 14, 2000, Council approved Resolution No. 2000-427, the waiver of Grading Deviation Policy No. 460-02, to allow certain residents within the Bonita Ridge Estates, Open Space District No. 4, to correct boundary discrepancies between their properties and the adjacent City-owned open space lots. Since that time, staff received lot line adjustment applications from 12 Bonita Ridge Estate residents to correct the boundary discrepancies. Staff is now requesting Council approval of the lot line adjustments and the resulting transfer of open space land to these residents. (Director of Public Works)

ACTION ITEMS (Continued)

Mayor Horton left the dais at this time, abstaining from discussion and voting on this item due to a potential conflict of interest.

ACTION: Councilmember Davis offered Resolution No. 2002-029, heading read, text waived.

RESOLUTION NO. 2002-029, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING LOT LINE ADJUSTMENTS BETWEEN CITY-OWNED OPEN SPACE PROPERTY AND 12 RESIDENTIAL PROPERTIES WITHIN THE BONITA RIDGE ESTATES, OPEN SPACE DISTRICT NO. 4, AS A RESULT OF THE COUNCIL-APPROVED WAIVER OF GRADING DEVIATION POLICY NO 460-02 PER RESOLUTION NO. 2000-427, AND AUTHORIZING THE MAYOR TO EXECUTE GRANT DEEDS ON BEHALF OF THE CITY

The motion carried 4-0-1, with Mayor Horton abstaining.

Mayor Horton returned to the dais.

OTHER BUSINESS

8. CITY MANAGER'S REPORTS

Request from San Diego Gas & Electric regarding rate increase options.

Buz Schott, representing SDG&E, asked for Council's support regarding the cost-based allocation for the Department of Water Resources allocation of costs to San Diego Gas & Electric customers. Mr. Schott submitted copies of a delegation letter that was sent to the California Public Utilities Commission (CPUC). He asked Council to join with other cities in the region in requesting that unfair allocations be reversed, and to revert to the cost-based rates allocation. Intergovernmental Affairs Coordinator Kelly read SANDAG's letter to the CPUC. It was the consensus of Council not to take any action on this matter unless or until more information is received.

City Manager Rowlands referenced a letter from Mr. Jack Doyle, representing Western Manufactured Housing Communities Association, requesting a 60-day continuance regarding the mobilehome rent control ordinance.

ACTION: Councilmember Davis moved to approve the request. Deputy Mayor Padilla seconded the motion, and it carried 5-0.

At 5:00 p.m., Mayor Horton recessed the City Council meeting and convened the Redevelopment Agency. At 5:10 p.m., Mayor Horton recessed the Redevelopment Agency to Closed Session. At 5:40 p.m., Mayor Horton adjourned the Redevelopment Agency and reconvened the City Council.

9. MAYOR'S REPORTS

A. Interviews and selection of Port Commissioner.

The City Council interviewed the following applicants for the position of Port Commissioner: William Hall, John Jolliffe, and Jerrold Siegel.

ACTION: Councilmember Rindone moved to appoint William Hall as Port Commissioner to fill the balance of the current term. Councilmember Salas seconded the motion, and it carried 5-0.

B. Consideration of adoption of the following resolution:

RESOLUTION NO. 2002-030, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA URGING THE FEDERAL AND STATE GOVERNMENTS TO HELP MITIGATE THE ECONOMIC IMPACTS ON THE BORDER REGION RESULTING FROM INCREASED BORDER WAIT TIMES

This item was taken out of order and was discussed prior to the Port Commissioner interviews.

Mayor Horton asked the Council to support the resolution and expressed the importance of continued communications with the federal government regarding the issue and its effects on border city regions.

ACTION: Mayor Horton offered Resolution No. 2002-030, heading read, text waived. Councilmember Davis seconded the motion, and it carried 5-0.

10. COUNCIL COMMENTS

There were none.

ADJOURNMENT

At 7:16 p.m., Mayor Horton adjourned the meeting to the Regular Meeting of February 12, 2002, at 6:00 p.m. in the Council Chambers.

Susan Bigelow, CMC/AAE, City Clerk